for fear of 10 per cent. of illicit trade was a puzzle. The expenditure for maintaining a staff to prevent illicit trade in liquor could be met from the receipts from tobacco. Public opinion in Travancore was also in favour of total prohibition.

The period of fifty years for effecting total prohibition was too long and one could not understand why in a country where the majority of the population were naturally averse to drinking, it should take fifty years, when, in the United States of America, it was found possible to effect a complete prohibition in the course of five years.

The Member said he did not believe in pursuing a policy of local option, regulation of the liquor trade or of the reduction in its issue strength. Nothing short of total prohibition, in his opinion, would do any good. In conclusion, he said that it would never be too much to hope that, as in Bhopal, it would become possible to effect a total prohibition during the regime of Her Highness the Maha Rani Regent.

DEWAN'S REPLY : Mr. Joseph Thomas, the attitude of the Government of Travancore towards the drink problem has been outlined and authoritatively indicated more than once, the most recent occasion having been yesterday in my reply to the representation by Mr. Punnose Jacob.

### 42. The Jenmi Kudiyan Bill.

Mr. NILAKANTAN NILAKANTAN NAMPUTIRI (*Member, Jenmi, Kottayam Division*) said that he represented a community which once stood high in point of wealth, civilization and culture, but had become feeble and unprogressive through causes at work during the past three quarters of a century. During the past 25 years, nearly 9000 acres of landed property which belonged to the *jenmies* had been alienated on *kanapattom*, nearly 7,000 acres on mortgage and 2,000 acres on outright sale. Such was the sorry plight of the small community, and the *jenmi kudiyan* Bill would make the position much worse. The Bill had created a widespread dissatisfaction among the members of the community and was open to the following, among several, objections :

(1) *Jenmi's rights.*—The fundamental rights of the community over their lands which existed from the time of Parasurama were altered by the Government in 1042 without any justification or authority for the Government so to interpose. The subsequent legislation, *viz.*, Regulation V of 1071, further weakened their rights and the present Bill was most disastrous.

(2) *Renewal fees.*—The period for renewal should not be fixed at 36 years. Such a rule would banish even the hope of securing the renewal fees and other dues which they were now entitled to get from the *kudiyans*. Further, the proposal to distribute the amount of the dues to the *jenmies* which were payable only in twelve years' time over twelve annual instalments was both unjust and unreasonable.

(3) *Customary dues.*—The proposal to commute customary dues as *Aravakasam, Panchabhogam* and *Onakazhcha* in the case of *Brahmaswoms*, and of *Kalasavari, Ambalampani, Dhwajapratishta, Ulsavakoppu, Tripputtari, Varam*, etc., into money payable annually along with *Michavaram* was equally meaningless and unjustifiable as they were occasional dues and arose only on specified occasions.

(4) *Notice of transfer.*—Even though there was provision in the law requiring the *kudiyan* to give notice to the *jenmi* of transfers of *kanam* property, it was not observed. He suggested therefore that if the *jenmies* were entitled to collect a fine when transfers were effected without notice to them, the difficulty complained of could be obviated.

(5) *Acquisition of Jenmom property by the Government.*—The *kudiyan* should be entitled to get only a third of the value of the compensation for improvements and only his right to the *kanam* amount ; the balance of the amount of compensation should go to the *jenmi*.

(6) *Eviction.*—The *jenmi* should have the right to evict a *kudiyan* from his property in case (i) the *kudiyan* failed to pay *Michavaram* consecutively for six

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years setting off the arrears of *Michavaram* against the *kanam* amount ; (ii) the *kudiyan* cut trees the value of which exceeded the amount of *kanam* ; or (iii) the *kudiyan* made valuable improvements to defeat the intentions of the *kanam*.

(7) *Interest.*—The Member had no objection to the *kudiyan* relinquishing the *kanam* property after giving due notice to the *jenmi* when the value of the proceeds from it did not bear 4½ per cent. interest on the *kanam* amount.

(8) *Realisation of jenmi's dues.*

(i) Panchayats or juries should be constituted to decide disputes relating to *Michavaram* and other dues up to Rs. 100.

(ii) All such disputes should be disposed of in the course of one month.

(ii) The civil courts should finally dispose of suits relating to renewals.

(9) *Enhancement of pattam.*—The *pattam* on paddy lands should not be fixed at one-third of the annual yield and of dry lands as a proportion of the yield from the fruit-bearing trees. The *jenmi* should be entitled to a share also of the other crops raised on dry lands. Such a claim was justifiable in view of the fact that the *kudiyan* is entitled to a deduction of the amount of interest on the *kanam* from the *pattam*. He suggested a definition of *payattupattam* or *pattam* on cereal or dry cultivation referred to above. It should be either one-third of the crops raised or *pattam* payable for the use of *tarisu* lands.

(10) *Reduction of pattam.*—The Member had no objection to allow a reduction in the amount of *pattam* in cases where the *kudiyan* suffered any loss through act of God to such an extent that the income from the property would not yield interest at 3 to 6 per cent. per annum on the *kanam* amount. The amount to be deducted should be calculated on the basis of the value of the crops which should work up to 4½ per cent. interest on the *kanam* amount.

(11) *Para measure.*—The *para* to be used for measuring the *pattam* should be that stipulated in the lease deed, and if not so specified, according to the standard *para*.

(12) *Right to trees.*—The *jenmi* should be entitled to *kuḍivila* on Royal trees and not the *kudiyan*. In regard to other trees, if they were mentioned in the deed, the *kudiyan* should have no share of the value, but if they had been planted and reared by the *kudiyan*, the *kudiyan* and the *jenmi* should have an equal share. There was no objection to the *kudiyan* lopping the branches of trees for use as fuel.

(13) *Improvements.*—A schedule fixing the value of each kind of tree or vine should be published and the *kudiyan* should be entitled to compensation according to that schedule.

(14) *Ettartham.*—The meaning of the expression was not correctly understood, nor did the *kudiyan* pay anything in the shape of *Ettartham*. *Ettartham* was the just share which the *jenmi* was entitled to in the prosperity of the *kudiyan* through a general rise of prices, increased facilities of communications, etc., *i. e.*, a share in the unearned increment on land.

(15) *Pre-emption.*—The *jenmi* should have the right of pre-emption when the *kudiyan* sold the property demised on *kanam*.

Lastly, when the Jenmi Kudiyan Bill was taken up in the Council, the *jenmies* should be given an opportunity to be heard in the Council by a vakil representing their interests, and a *jenmi* member should be co-opted.

DEWAN'S REPLY : Mr. Nilakantan Namputiri, I would refer you to the reply I gave to the representation on the same subject yesterday by Mr. Varkey Aipora.

### 43. Establishment of a Sub-Registrar's office at Ranni.

MR. K. C. ABRAHAM (*Member, Nominated*) in advocating the establishment of a sub-registrar's office at Ranni, spoke first on the importance which Ranni had risen to in recent years through the large amount of investments on cocoanut, pepper, rubber and other cultivations in the Pattanamtitta taluk, particularly Ranni *pakuthi*, and through the commercial importance of the Sabarimala, Nilakkal and

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